

**RATH, YOUNG AND PIGNATELLI***Professional Association***One Capital Plaza****P.O. Box 1500****Concord, New Hampshire 03302-1500****Telephone: (603) 226-2600****Telecopier: (603) 226-2700****RECEIVED****APR 08 2003****FACSIMILE COVER SHEET****Date:** April 7, 2003**FROM:** Sherilyn Burnett Young**Number of pages including cover sheet:** 3**DOCKET NO.** 02-14 WC

**TO:** MICHAEL SCLAFANI, Appeals Clerk  
**Telephone:** (603) 271-6072  
**Fax:** (603) 271-8805  
**Re:** Request to Table Motion for Reconsideration

\*\*\*\*\*

**Mr. Sclafani:**

As you discussed this afternoon with my colleague Christine Fillmore, attached please find a Request to Table Motion for Reconsideration. I understand that you will present this request to the New Hampshire Water Council at its April 9, 2003 meeting. Should you have any questions or concerns, please contact me or Christine Fillmore at 226-2600. We appreciate your assistance with this matter.

*Thank you!*

Very truly yours,

*Sherilyn*

Sherilyn Burnett Young

**NOTICE**

The information contained in this facsimile transmission is attorney privileged and contains confidential information intended only for disclosure to and use by the person(s) named above. Distribution, publication, reproduction or use of this facsimile, in whole or in part, by any person other than the intended recipient(s) is strictly prohibited. If you have received this facsimile erroneously, please notify us immediately by telephone and return the original to us at the address above via the United States Postal Service at our expense.

**RATH, YOUNG AND PIGNATELLI**  
*Professional Association*ONE CAPITAL PLAZA · P.O. BOX 1500 · CONCORD, NEW HAMPSHIRE 03302-1500  
TELEPHONE (603) 226-2600 · FACSIMILE (603) 226-2700SHERILYN BURNETT YOUNG  
Attorney at Law

shy@rathlaw.com

April 7, 2003

**VIA FACSIMILE AND FIRST CLASS MAIL****RECEIVED**

APR 08 2003

New Hampshire Water Council  
c/o New Hampshire Department of Environmental Services  
6 Hazen Drive  
P.O. Box 95  
Concord, New Hampshire 03302-0095  
Attention: Mr. John Bridges, Chair**Re: Docket No. 02-14 WC**  
**Request to Stay Motion for Reconsideration of Decision & Order dated 2/13/03**

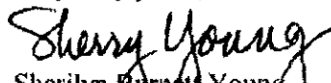
Dear Mr. Chairman and Members:

On behalf of our clients, Randall and Caryl Parker, I write to request that the Council stay any action on the Parkers' Motion for Reconsideration dated March 17, 2003 because the parties to the underlying matter have reached a settlement agreement.

Since the Motion for Reconsideration was filed, my clients and I have met productively with personnel from the Department of Environmental Services ("NHDES") and reached an agreement in principle regarding the resolution of Administrative Order No. WD-02-24. However, because NHDES personnel were not able to review proposed plans until today, the agreement has not yet been reduced to writing. Had the written agreement been prepared before the Council's April 9, 2003 meeting, the Parkers' Motion would be moot. My clients are making expedient efforts to finalize the resolution of the matter with NHDES and do not wish to impose unnecessary tasks on the Council, but they also understandably wish to preserve their Motion should events cause that to be necessary.

Therefore, I respectfully request that the Council stay its consideration of the Motion until its regularly scheduled May 2003 meeting. We fully expect to withdraw the Motion based on a resolution with NHDES before that date.

Very truly yours,

  
Sherilyn Burnett Youngcc: Attorney Mark R. Harbaugh, DES Legal Unit  
Randall and Caryl Parker

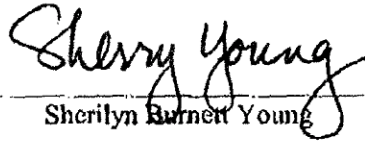
COUNSELLORS AT LAW

NASHUA OFFICE: THE GLASS TOWER · 20 TRAFALGAR SQUARE · NASHUA, NEW HAMPSHIRE 03063 · (603) 889-9952 · FAX (603) 595-7489  
www.rathlaw.com

Chairman, NH Water Council  
April 7, 2003  
Page 2

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Request to Table Motion for Rehearing was sent this 7<sup>th</sup> day of April, 2003 first class mail, postage prepaid, to Attorney Mark R. Harbaugh.

  
\_\_\_\_\_  
Sherilyn Burnen Young